

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on April 12, 2017 at 10:00 A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Frederick (Eric) Moore, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Mary Caferro (D)
Sen. Terry Gauthier (R)
Sen. David Howard (R)
Sen. Douglas (Doug) Kary (R)
Sen. Bob Keenan (R)
Sen. Mike Lang (R)
Sen. Mary McNally (D)
Sen. Albert Olszewski (R)
Sen. Ryan Osmundson (R)
Sen. Mike Phillips (D)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Jeffrey W. Welborn (R)
Sen. Lea Whitford (D)
Sen. Cynthia Wolken (D)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 136, 4/11/2017; HB 187, 4/11/2017; HB 637, 4/11/2017

Executive Action: HB 5 Be Concurred In As Amended; HB 650 Be Concurred in As Amended; HB 187 Be Tabled; HB 136 Be Tabled; HB 637 Be Tabled

EXECUTIVE ACTION ON HB 5

00:01:00 **Motion:** Sen. Moore moved that **HB 5 BE CONCURRED IN.**

00:01:10 **Motion:** Sen. Ankney moved that **HB 5 BE AMENDED.**

[EXHIBIT\(fcs77a01\)](#)

[EXHIBIT\(fcs77a02\)](#)

Discussion:

00:01:12 Sen. Ankney

00:02:10 Sen. Phillips

00:02:17 Sen. Ankney

00:02:32 Sen. Phillips

00:02:37 Sen. Ankney

00:02:42 Sen. Sesso

00:03:28 Sen. Ankney

00:03:45 Sen. Moore

00:03:54 Sen. Sesso

00:04:12 **Vote:** Motion carried 17-1 by voice vote with Sen. Howard voting no.

00:04:33 **Motion:** Sen. Sesso moved that **HB 5 BE AMENDED.**

[EXHIBIT\(fcs77a03\)](#)

Sen. Keenan left the meeting.

Discussion:

00:04:35 Sen. Sesso

00:09:13 **Vote:** Motion carried 13-5 by voice vote with Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Olszewski and Sen. C. Smith voting no. Sen. Keenan voted by proxy.

00:09:58 **Motion:** Sen. Ankney moved that **HB 5 BE AMENDED.**

[EXHIBIT\(fcs77a04\)](#)

Sen. Keenan joined the meeting.

Discussion:

00:10:26 Sen. Ankney

00:11:21 Sen. Moore

00:11:33 Cathy Duncan, Legislative Fiscal Division (LFD)

00:11:54 Sen. Moore

00:12:13 Sen. Phillips

00:12:27 Sen. Smith

00:12:35 Sen. Phillips

00:12:42 Chair Jones
 00:13:14 Sen. Sesso
 00:13:40 Ms. Duncan, LFD
 00:13:58 Sen. McNally
 00:14:13 Chair Jones
 00:14:44 Sen. Whitford
 00:15:47 Sen. Sesso

00:17:23 **Vote:** Motion failed 4-14 by roll call vote with Sen. Ankney, Sen. Howard, Sen. L. Jones and Sen. Olszewski voting aye.

Discussion:

00:18:37 Chair Jones
 00:18:41 Kris Wilkinson, Legislative Fiscal Division (LFD)
 00:19:15 Sen. Osmundson
 00:19:52 Julie Johnson, Legislative Services Division (LSD)

00:20:19 **Motion:** Sen. Osmundson moved that **HB 5 BE AMENDED CONCEPTUALLY** that if HB 650 is not passed and approved containing a transfer from the Consumer Protection Account to the Long Range Building Program, then the appropriation to the Department of Administration is void and not cite a specific amount.

Discussion:

00:21:01 Sen. Kary

00:21:25 **Vote:** Motion carried unanimously by voice vote.

00:21:34 **Motion:** Sen. Ankney moved that **HB 5 BE AMENDED.**
EXHIBIT(fcs77a05)

Sen. McNally left the meeting.

00:22:03 Sen. Ankney
 00:22:43 Sen. Moore
 00:23:02 Sen. Ankney
 00:23:26 Sen. Moore
 00:23:34 Ms. Duncan
 00:24:14 Sen. Moore
 00:24:26 Ms. Duncan
 00:24:30 Chair Jones
 00:24:52 Ms. Duncan
 00:24:56 Chair Jones
 00:24:59 Ms. Duncan
 00:25:20 Chair Jones
 00:25:36 Ms. Duncan
 00:25:38 Chair Jones

00:25:58 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

00:26:30 **Motion/Vote:** Sen. Moore moved that **HB 5 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. McNally voted by proxy. Sen. Welborn will carry the bill.

EXECUTIVE ACTION ON HB 650

00:27:23 **Motion:** Sen. Moore moved that **HB 650 BE CONCURRED IN**.

00:27:32 **Motion:** Sen. Osmundson moved that **HB 650 BE AMENDED SEGREGATING SECTION 17**.

[EXHIBIT\(fcs77a06\)](#)

Discussion:

00:28:00 Sen. Osmundson
00:32:26 Sen. Whitford
00:32:34 Sen. Osmundson
00:33:39 Sen. Whitford
00:34:06 Sen. Osmundson
00:35:28 Chair Jones
00:37:35 Sen. McNally joined the meeting.
00:37:38 Sen. Osmundson
00:38:04 Sen. Lang
00:38:17 Sen. Osmundson
00:38:57 Sen. Lang
00:39:03 Sen. Osmundson

00:39:18 **Vote:** Motion carried unanimously by voice vote.

00:39:56 **Motion:** Sen. Osmundson moved that **HB 650 BE AMENDED**.
[EXHIBIT\(fcs77a07\)](#)

00:40:27 **Vote:** Motion carried unanimously by voice vote.

00:40:40 **Motion:** Sen. Howard moved that **HB 650 BE AMENDED**.
[EXHIBIT\(fcs77a08\)](#)

Discussion:

00:41:10 Sen. Wolken
00:41:46 Sen. Osmundson
00:42:16 Sen. Whitford
00:42:30 Sen. Osmundson
00:43:21 Sen. Whitford
00:44:00 Sen. Osmundson
00:44:50 Sen. Gauthier
00:45:29 Sen. Jones
00:47:26 Sen. Whitford

00:47:48 Sen. Gauthier
00:47:55 Sen. Caferro
00:48:28 Sen. Wolken
00:48:36 Sen. Caferro
00:49:09 Sen. Wolken
00:50:12 Sen. Caferro
00:50:47 Sen. Howard

00:52:32 **Vote:** Motion failed 4-14 by roll call vote with Sen. Gauthier, Sen. Howard, Sen. Olszewski and Sen. Whitford voting aye.

00:53:40 **Motion:** Sen. Moore moved that **HB 650 BE CONCURRED IN AS AMENDED.**

Discussion:

00:53:51 Sen. Moore

00:55:07 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson will carry the bill.

HEARING ON HB 136

Opening Statement by Sponsor:

00:55:47 Rep. Geraldine Custer (R), HD 39, opened the hearing on HB 136, Actuarial funding for the Game Wardens' and Peace Officers' Retirement System.

Proponents' Testimony:

00:57:33 Dore Schwinden, Montana Public Employees Retirement Administration
00:58:12 Diane Fladmo, MEA-MFT
01:00:09 George Golie, Montana Game Wardens Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:01:48 Rep. Custer

HEARING ON HB 187

Opening Statement by Sponsor:

01:03:08 Rep. Jim Hamilton (D), HD 61, opened the hearing on HB 187, Establish an angel investor/venture capital tax credit.

EXHIBIT(fcs77a09)

Proponents' Testimony:

01:07:05 Richard Harjes, investment partner, Next Frontier Capital (NFC)
01:18:24 Bridger Mahlum, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

01:19:35 Dan Dodds, Department of Revenue

Questions from Committee Members and Responses:

01:19:46 Sen. Olszewski
01:19:55 Mr. Harjes, NFC
01:20:14 Sen. Olszewski
01:21:10 Rep. Hamilton
01:21:16 Sen. Olszewski
01:21:22 Rep. Hamilton
01:21:50 Sen. Olszewski
01:22:23 Mr. Harjes

Closing by Sponsor:

01:22:42 Rep. Hamilton

HEARING ON HB 637

Opening Statement by Sponsor:

01:27:07 Rep. Jon Knokey (R), HD 65, opened the hearing on HB 637, Require Medicaid coverage of marriage and family therapist services.

[EXHIBIT\(fcs77a10\)](#)

Proponents' Testimony:

01:30:51 Abigail St. Lawrence, Montana Association of Marriage and Family Therapists
[EXHIBIT\(fcs77a11\)](#)

Opponents' Testimony:

01:34:46 Mary Dalton, Department of Public Health and Human Services (DPHHS)

Informational Testimony: None

Questions from Committee Members and Responses:

01:36:53 Sen. Caferro
01:37:47 Ms. Dalton, DPHHS

01:40:12 Sen. Caferro
01:40:47 Ms. Dalton
01:41:46 Chair Jones
01:43:26 Ms. Dalton
01:44:08 Chair Jones
01:44:14 Sen. Moore
01:45:01 Rep. Knokey
01:47:12 Chair Moore
01:48:20 Rep. Knokey
01:49:12 Sen. Smith
01:49:55 Rep. Knokey

Closing by Sponsor:

01:50:59 Rep. Knokey

Committee Business:

01:53:59 Chair Jones
01:55:51 Sen. Caferro
01:55:55 Chair Jones

01:56:44 Recess

Sen. Ankney, Sen. Phillips, and Sen. Welborn left the meeting.

03:36:47 Reconvene

EXECUTIVE ACTION ON HB 187

03:37:10 **Motion:** Sen. Moore moved that **HB 187 BE CONCURRED IN.**

Discussion:

03:37:24 Chair Jones
03:37:37 Sen. Olszewski
03:38:57 Sen. Sesso

03:40:02 **Vote:** Motion failed 5-12 by roll call vote with Sen. Caferro, Sen. McNally, Sen. Sesso, Sen. Whitford and Sen. Wolken voting aye. Sen. Ankney and Sen. Welborn voted by proxy. Sen. Phillips was excused.

03:41:05 Without objection, HB 187 was tabled and the vote reversed.

Sen. McNally and Sen. Phillips joined the meeting.

EXECUTIVE ACTION ON HB 136

03:41:08 **Motion:** Sen. Moore moved that **HB 136 BE CONCURRED IN.**

Discussion:

03:41:17 Sen. Moore
03:42:21 Sen. Whitford
03:44:20 Sen. Sesso

03:45:19 **Motion:** Sen. Sesso moved that **HB 136 BE AMENDED.**
EXHIBIT(fcs77a12)

03:45:24 Sen. Sesso
03:46:52 Sen. Ankney joined the meeting.
03:47:01 Sen. Moore
03:47:10 Sen. Sesso
03:47:14 Chair Jones
03:47:20 Sen. Sesso
03:47:36 Sen. Olszewski

03:48:12 **Vote:** Motion failed 7-11 by roll call vote with Sen. Ankney, Sen. Caferro, Sen. McNally, Sen. Phillips, Sen. Sesso, Sen. Whitford and Sen. Wolken voting aye. Sen. Welborn voted by proxy.

03:49:11 **Motion/Vote:** Sen. Moore moved that **HB 136 BE CONCURRED IN.** Motion failed 7-11 by roll call vote with Sen. Ankney, Sen. Caferro, Sen. McNally, Sen. Olszewski, Sen. Phillips, Sen. Sesso and Sen. Whitford voting aye. Sen. Welborn voted by proxy.

03:49:52 Without objection, HB 136 was tabled and the vote reversed

EXECUTIVE ACTION ON HB 637

03:50:04 **Motion:** Sen. Moore moved that **HB 637 BE CONCURRED IN.**

Discussion:

03:50:25 Sen. Olszewski
03:51:42 Sen. Smith
03:51:55 Sen. Moore

03:52:40 **Vote:** Motion failed 7-11 by roll call vote with Sen. Howard, Sen. Lang, Sen. McNally, Sen. Olszewski, Sen. Phillips, Sen. C. Smith and Sen. Wolken voting aye. Sen. Welborn voted by proxy.

03:53:34 Without objection, HB 637 was tabled and the vote reversed.

03:53:52 Sen. Caferro
03:54:18 Chair Jones

ADJOURNMENT

Adjournment: 12:04 PM

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs77aad.pdf](#))